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ITEM IS BEING RETURNED FOR THE FOLLOWING REASON(S):

- My recipient _____
 moved and left no forwarding address or
 number.
 was not in when we attempted delivery, and we
 authorized to leave shipment without a signature.
 s address on your shipment was incorrect and/or
 e, and we were unable to obtain the correct address.
 A P.O. box number was the only address given or obtainable.
 We were unable to collect C.O.D. charges.
 Shipper requested return.
 Shipment returned if undelivered after 5 days.
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159396 REV 8/08 RRD

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 3 NORTH HANGAR ROAD
 JAMAICA, NY 11430
 UNITED STATES US

SHIP DATE: 29MAR21
 ACTWTG: 1.00 LB MAN
 CAD: 0256192/CAFE3407
 BILL RECIPIENT

 Unit # 159396
 12/10 - 05/09
 11/11/2011

J TAVAVERT
 UNITED STATES DISTRICT COUR
 225 CADMEN PLZ E RM 118S

BROOKLYN NY 11201

 (718) 613-2398
 REF: 818564960977


THU - 01 APR 4:30P
 EXPRESS SAVER

11201
 NY-US EWR



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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARIO H. CAPOGROSSO,

Plaintiff,

ORDER
18 CV 2710 (EK)(LB)

-against-

ALAN GELBSTEIN, *in his individual capacity*, IDA TRASCHEN, *in her individual capacity*, DANIELLE CALVO, *in her individual capacity*, SADIQ TAHIR, *in his individual capacity*, PEC GROUP OF NY, INC., DAVID SMART, and DMV COMMISSIONER MARK SCHROEDER, *in his official capacity*,

Defendants.

-----X

BLOOM, United States Magistrate Judge:

The Court ordered Defendant David Smart to respond to plaintiff's interrogatories dated August 25, 2020 by February 12, 2021. ECF No 154. Plaintiff reports that Defendant Smart has not responded to his interrogatories and moves the Court to impose sanctions on Defendant Smart. ECF No. 157. The state defendants oppose plaintiff's motion. ECF No. 158. Plaintiff's request is denied without prejudice.

Defendant Smart proceeds in this matter *pro se*, and unlike plaintiff, Mr. Smart is not an attorney. The Court shall therefore give Mr. Smart another chance to comply with the Court's Order. The Court shall hold a conference in this action on March 16, 2021 at noon. Instead of providing written responses to plaintiff's interrogatories, **Defendant Smart shall call the Chambers telephone conference line at (888) 363-4734 and use the access code 4444221 at 12:00p.m. on March 16, 2021**. At the conference, the Court shall swear Defendant Smart to the truth of his testimony and Defendant Smart shall answer plaintiff's interrogatories orally on the

record. The Clerk of Court is respectfully requested to serve a copy of this order upon Defendant Smart via overnight delivery.

SO ORDERED.

/S/

LOIS BLOOM
United States Magistrate Judge

Dated: February 25, 2021
Brooklyn, New York